Guest editor's note: Culture, sustainable development and UNESCO*

Sustainable development was defined by the Brundtland Report (1987) as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs"[1]. Historically, the notion of sustainability was driven by economic goals and measured primarily by GDP (Gross Domestic Product) growth. However, by the mid-1990s, the "human development" approach was introduced, adopting non-economic (i. e. social, cultural and political) goals as measures and linking development to human rights.

Around the same time, the role of culture was growing in the international development agenda. For example, UNESCO's World Commission on Culture and Development published a report in 1996, which identified culture as a constituent element in the development process. The 1990s Action Plan on Cultural Policies for Development further emphasised that "[s]ustainable development and the flourishing of culture are interdependent" (Principle 1), and called on Member States "[t]o make cultural policy one of the key components of development strategy" (Objective 1); and to strengthen their policies and practices "to safeguard and enhance the cultural heritage, tangible and intangible" (Objective 3)[2]. Despite this, the Millennium Development Goals (MDGs) adopted by the United Nations (UN) in 2000, which set out the global development agenda from the year 2000 to 2015, do not include any explicit reference to culture, intangible or otherwise[3]. Culture, however, was explicitly indicated as a key component of sustainable development in the UNESCO Culture and Development Thematic Window of the Millennium Development Goals Achievement Fund (MDG-F) initiative, and in the Rio Declaration (1992)[4]. The Rio Declaration set out three "pillars" — economic, environmental and socio-cultural — collectively understood to constitute sustainable development.

In 2012, direct reference to culture was made in the final report of the Rio+20 meeting (2012)[5]. This report recommended that the UN programming for sustainability should

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[1] Report of the World Commission on Environment and Development: Our Common Future, Annex to UN doc A/42/427 (4 August 1987) (Brundtland Report).

[2] Action Plan on Cultural Policies for Development, adopted by the Intergovernmental Conference on Cultural Policies for Development (Stockholm, Sweden, 2 April 2018).

[3] 55th session of the UN General Assembly, New York, 2000, "United Nations Millennium Declaration", A/RES/55/2.

[4] Rio Declaration on Environment and Development (concluded 13 June 1992) 31 ILM 874 (1992) (Rio Declaration). For more on the Rio Declaration, see: The Rio Declaration on Environment and Development: A Commentary / ed. by Jorge Viñuales. Oxford: Oxford University Press, 2015.

[5] 6th plenary meeting of the UN Conference on Sustainable Development, Rio de Janeiro, 2012 "Report of the United Nations Conference on Sustainable Development", A/CONF. 216/16.

have mentioned the three dimensions of sustainable development. In response, the International Congress on Culture "Key to Sustainable Development" was organised in 2013 under the auspices of UNESCO. The Hangzhou Declaration (2013), agreed at the International Congress on Culture, called for a specific international development goal focused on culture to be included in the post-2015 UN development agenda, "based on heritage, diversity, creativity and the transmission of knowledge and [include] clear targets and indicators that relate culture to all dimensions of sustainable development"[6].

On 25 September 2015 the United Nations adopted the 2030 Agenda for Sustainable Development (2030 Agenda)[7]. The 2030 Agenda "is a plan of action for people, planet and prosperity"[8] for the period 2015–2030. The Agenda sets out 17 Sustainable Development Goals (SDGs) and 169 targets, which seek to build on the MDGs and "shift the world onto a sustainable and resilient path"[9]. The 2030 Agenda for Sustainable Development, like the Rio Declaration, conceives sustainable development as composed of three dimensions — economic, social and environmental, and related to the need of peace and security. These dimensions correspond to spheres of interdependent action; focused on respect for human rights including cultural rights and cultural diversity; and they also link culture to sustainable development.

The 2030 Agenda marks an essential milestone with respect to economic development in the recognition of the contributions of culture both in terms of income generation and protecting the environment and in terms of enhancing the individuals' abilities and combatting poverty. For example, Target 4.7 is "By 2030, [to] ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others... promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development"[10] and Target 11.4 is to "strengthen efforts to protect and safeguard the world's cultural and natural heritage"[11].

A further milestone was the Resolution on Culture and sustainable development adopted by the United Nations General Assembly (UNGA) on 19 December 2019[12]. The Resolution "reaffirms the role of culture as an enabler of sustainable development"[13], "recognizes the power of culture as a driver of sustainable development"[14] and "emphasizes the important contribution of culture to the three dimensions of sustainable development and to the achievement of national development objectives, the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, as well as other internationally agreed development goals"[15]. The Resolution also "reaffirms that sustainable development cannot be realized without peace and security and that peace and security will be at risk without sustainable development, and acknowledges that

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[6] The Hangzhou Declaration Placing Culture at the Heart of Sustainable Development Policies. Adopted in Hangzhou, People's Republic of China, on 17 May 2013. P. 6. Available at: http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/images/FinalHangzhouDeclaration20130517.pdf (accessed: 16.04.2021).

[7] 2030 Agenda for Sustainable Development (Doc. A/RES/70/1) 2015 // UN General Assembly. 2015. Available at: https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf (accessed: 20.06.2020).

[8] Ibid. Preamble.

[9] Ibid.

[10] Ibid. Target 4.7.

[11] Ibid. Target 11.4.

[12] Resolution on Culture and Sustainable Development (Doc. A/RES/74/230) // UN General Assembly. 2019. Available at: https://digitallibrary.un.org/record/3847705?ln=en (accessed: 13.04.2020).

[13] Ibid. Art. 2.

[14] Ibid. Art. 3.

[15] Ibid. Art. 4.

culture can contribute to sustainable development by constituting a valuable resource for enabling communities to participate fully in social and cultural life, facilitating inclusive governance and dialogue at the national, regional and international levels and contributing to conflict prevention and resolution, as well as to reconciliation, recovery and resilience"[16].

UNESCO is the only UN specialized agency with a mandate on culture. As an agency, UNESCO's mission is to contribute to the building of peace, eradication of poverty, sustainable development and intercultural dialogue through international cooperation in the fields of Education, the Sciences, Culture and Communication and Information[17]. In the field of Culture, UNESCO works to promote cultural diversity and ensure that the role of culture is integrated in efforts to achieve the SDGs. One particular focus for UNESCO's work is SDG 11 focusing on sustainable cities, and Target 11.4.

UNESCO's work in the field of culture is mainly grounded in standard-setting instruments: declarations, recommendations and conventions. And the agency's contribution to the achievement of sustainable development can be viewed through its Culture Conventions' system and the relevant policy and operational documents that complement it.

This system has developed incrementally. UNESCO's Culture Conventions do not regulate every aspect of the cultural domain, but together with the other standard-setting instruments, they do cover a great part of it, and they provide the most accepted international legal system in the field of culture. UNESCO has adopted seven Conventions on culture: the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) (2005 Convention)[18]; the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) (ICHC)[19]; the Convention on the Protection of the Underwater Cultural Heritage (2001) (UCHC)[20]; the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) (WHC)[21]; the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970) (1970 Convention)[22]; the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) (1954 Hague Convention)[23] and the Universal Copyright Convention (UCC)[24]. All seven of these Conventions are relevant to this journal issue, but this introduction will focus on the three Conventions that constitute the key pillars of the world's cultural diversity.

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[16] Ibid. Art. 5.

[17] Introducing UNESCO: what we are // UNESCO. Available at: http://www.unesco.org/new/en/united-nations-educational-scientific-and-cultural-organization/about-us/who-we-are/introducing-unesco (accessed: 16.04.2021).

[18] Convention on the Protection and Promotion of the Diversity of Cultural Expressions (adopted 20 October 2005, entered into force 18 March 2007) 2440 UNTS (2005 Convention).

[19] Convention for the Safeguarding of the Intangible Cultural Heritage (adopted 17 October 2003, entered into force 20 April 2006) 2368 UNTS 3 (2003 Convention).

[20] Convention on the Protection of the Underwater Cultural Heritage (adopted 2 November 2001, entered into force 2 January 2009) 2562 UNTS (2001 Underwater Heritage Convention).

[21] Convention for the Protection of the World Cultural and Natural Heritage (adopted 16 November 1972, entered into force 17 December 1975) 1037 UNTS 151 (1972 World Heritage Convention).

[22] Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (adopted 14 November 1970, entered into force 24 April 1972) 823 UNTS 231 (1970 Convention).

[23] Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention 1954 (adopted 14 May 1954, entered into force 7 August 1956) 249 UNTS 240 (1954 Hague Convention).

[24] Universal Copyright Convention (opened for signature 24 July 1971, entered into force 10 July 1974) 943 UNTS 178.

Adopted in 1972, the WH Convention[25] lacks an explicit reference to sustainable development as it was adopted 15 years before the Brundtland Report[26]. Nevertheless, the spirit of sustainable development can be read into the text. For example, the first duty imposed on State Parties, is the adoption of a general policy "to give heritage a function in the life of the community". Furthermore, with the adoption of the "Policy on the integration of a sustainable development perspective into the processes of the WH Convention" in 2015, the Convention was explicitly linked to sustainable development. The underlying principle of such Policy was to achieve consistency with Agenda 2030 and recognize that the WH Convention is an integral part of UNESCO's mandate to foster sustainable development.

Unlike the WH Convention, when the ICH Convention was adopted in 2003, sustainable development was already a key issue for international cooperation. Accordingly, this Convention recognizes in its preamble that ICH is "a mainspring of cultural diversity" and "a guarantee of sustainable development"[27]. This strong statement enshrines the relevance of ICH for sustainable development. Furthermore, in 2016 as part of efforts to strengthen the links between ICH and sustainable development, a new Chapter VI, "safeguarding intangible cultural heritage and sustainable development at the national level", was added to the Operational Directives of the ICH Convention[28]. Chapter VI is entirely dedicated to providing guidance on how to strengthen the role of ICH as a driver and enabler of sustainable development, and how to integrate it into development plans, policies and programmes through participatory approaches. Like the 2030 Agenda for Sustainable Development and the Rio Declaration, Chapter VI of the Operational Directives conceives sustainable development as composed of three dimensions — social (OD VI. 1 Inclusive social development), economic (OD VI. 2 Inclusive economic development) and environmental (OD VI. 3 Environmental sustainability) and related to the need of peace and security (OD VI. 4 Intangible cultural heritage and peace).

Sustainable Development is also a major concern for the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions. With this instrument, the global community formally acknowledged the dual nature — both cultural and economic — of contemporary cultural goods and services. The Convention provides guidance to design policies and measures that foster the creation, production, distribution of and access to cultural goods and services. Sustainable development is amongst the foundational principles of the 2005 Convention[29] and Article 13 of the 2005 Convention explicitly addresses the integration of culture in sustainable development.

Comparing periodic reporting mechanisms under the 2005 Convention and the ICH Convention facilitates an insight into how effectively the 2005 Convention links to sustainable development. Periodic reporting is a mechanism under both Conventions that allows States Parties to assess their implementation of the relevant Convention. Periodic reports for the 2005 Convention are divided into 5 sections. Section 2 of such reports, "Policies and Measures" is structured according to the Monitoring Framework

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[25] Convention concerning the Protection of the World Cultural and Natural Heritage. Adopted in 1972 and entered into force in 1975 // UNESCO General Conference. Available at: https://whc.unesco.org/en/conventiontext (accessed: 20.06.2020).

[26] *Brundtland G. H.* Report of the World Commission on Environment and Development: Our Common Future // United Nations General Assembly (Doc. A/42/427). 1987. Available at: https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf (accessed: 20.06.2020).

[27] 2003 Convention. Preamble.

[28] See: Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage, adopted by the General Assembly of the States Parties to the Convention at its second session (UNESCO Headquarters, Paris, 16 to 19 June 2008), as amended at its sixth session (UNESCO Headquarters, Paris, 30 May to 1 June 2016).

[29] 2005 Convention. Art. 2 (6).

of the 2005 Convention. The Monitoring Framework is structured around the 4 Goals of the 2005 Convention. In the Monitoring Framework, these Goals are directly related to specific SDGs.

Since 2018, the structure of periodic reporting for the ICH Convention has been aligned on the Overall Results Framework[30]. The Overall Results Framework is composed of 26 Core Indicators. Each Indicator has several assessment factors, which are linked to specific provisions from the ICH Convention and its Operational Directives. The Guidance note for each Indicator also includes a section entitled "Relation with SDGs and other indicators". This Section sets out the links between the Indicator and specific SDG Targets[31]. Unlike the Monitoring Framework for the 2005 Convention, therefore, the Overall Results Framework of the ICH Convention is not structured around "Goals" that are directly connected to the SDGs. Thus, it is easier to visualize and understand the connections between the SDGs and the Monitoring Framework of the 2005 Convention than it is to understand the connections between the SDGs and the Overall Results Framework of the ICH Convention. However, both the Monitoring Framework for the 2005 Convention and the Overall Results Framework for the ICH Convention link back to the SDGs, reflecting the importance of the connection between sustainable development and culture.

While the role of culture in building a more sustainable world is increasingly recognized and reflected in the international agenda, there nonetheless remains a weak link in the chain: the lack of coherent evidence of the multiple ways in which culture contributes to the economic, social and environmental dimensions of development. One example of the lack of coherent evidence of the contribution of culture to sustainable development is ICH in urban contexts. "ICH plays a complex role in the urban cultural ecosystem, providing 'creative capital' for innovation and fostering the historical development and continued viability of creative industries in cities by maintaining networks of creators who are brought together in meaningful ways in specific places. It also in many cases generates income for practitioners, as long as over-commercialisation and misappropriation can be avoided. ICH can thus encourage both social cohesion and sustainable development in Creative Cities, with the involvement and consent of the communities, groups and individuals who practice that ICH"[32]. Despite this, ICH has generally been neglected in cultural mapping for creative industries, and in monitoring and evaluation for city planning. This is particularly regrettable in the context of UNESCO creative cities. Thus, a recent study proposes that further work on ICH mapping and monitoring processes in Creative Cities is needed, and independent verification of the data from the Periodic Reporting under the 2003 Convention may be needed[33]. ICH plays a complex role in the urban cultural ecosystem. Apart from providing "creative capital" for innovation, it fosters the historical development and continued viability of creative industries in cities by maintaining networks of creators who educate those who follow them. ICH also

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[30] Periodic reporting of the Convention for the Safeguarding of the Intangible Cultural Heritage // UNESCO. Available at: https://ich.unesco.org/en/periodic-reporting-00460 (accessed: 16.04.2021).

[31] For example, in this section the guidance note for core indicator 1 states: This indicator responds as a whole to SDG Target 11.4, "strengthen efforts to protect and safeguard the world's cultural and natural heritage". By encouraging formal bodies or mechanisms to coordinate broad public participation in safeguarding, Assessment Factor 1.3 also complements SDG Target 16.6, which aims to "Develop effective, accountable and transparent institutions at all levels", as well as Target 16.7, which aims to "ensure responsive, inclusive, participatory and representative decision-making at all levels".

[32] *Deacon H., Rinallo D., Taboroff J., Ubertazzi B., Waelde Ch.* Understanding and measuring the role of intangible cultural heritage in the Creative City. Paper prepared for the World Bank Technical Deep Dive, Creative Cities: Culture and Creativity for Jobs and Inclusive Growth, January 27 — January 31, 2020, Tokyo and Kyoto. P. 1.

[33] Ibid. P. 7.

in many cases generates income for practitioners, as long as over-commercialisation and misappropriation can be avoided. ICH brings people together in meaningful ways in specific places, and can thus encourage both social cohesion and sustainable development in Creative Cities[34].

To tackle the issue of the lack of coherent evidence of the ways in which culture contributes to sustainable development, UNESCO has developed a specific framework of thematic indicators (the Culture|2030 Indicators[35], launched in June 2020), whose purpose is to measure and monitor the progress of culture's contribution to the national and local implementation of the SDGs and Targets. The framework aims to assess both the role of culture as a sector of activity, as well as the transversal contribution of culture across different SDGs and policy areas. The intended purpose of the framework is to bring data together and highlight linkages and intersections between culture and other policy areas. By strengthening the transversal visibility of culture in the 2030 Agenda, the Culture|2030 Indicators seek to help build a coherent and strong narrative on culture and development that is evidence-based and can inspire informed decision-making. These indicators are not a silver bullet that solve all challenges. They have been critiqued for reporting on the existence of policies, institutions, and other instruments without assessing their performance or effectiveness and it has been highlighted that very few indicators in the Culture 2030 suite directly explore the relationship between ICH and cultural industries in cities[36]. Nonetheless, the Culture|2030 Indicators are another step towards the integration of culture and sustainable development.

In this context, this special issue of Pravovedenie gathers articles that were presented at the Federal State Budgetary Educational Institution of Higher Education "Saint-Petersburg State University" online conference of 18 May 2020 on the subject of "UNESCO and Cultural Heritage". The conference saw the participation of 22 speakers coming from all over the world. The conference was introduced by Sergey Belov, Dean of the Law Faculty at Saint-Petersburg State University. Belov was followed by Matteo Rosati[37] who spoke on the topic of "UNESCO's role and action in fostering culture for sustainable development". Conclusions were given by Pier Luigi Petrillo[38]. This conference was scientifically organised by Benedetta Ubertazzi[39] with Anton Rudokvas[40] and Darya Rytova[41] also contributing to the organisation of the event. Particular thanks also go to Sergey Belov, Anton Rudokvas, Valeria Romanovskaya[42] and William Long[43], without whom the publication of this special issue of Pravovedenie would not have been possible.

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[34] Ibid. P. 3.

[35] Culture|2030 Indicators // UNESCO. 2019. Available at: https://unesdoc.unesco.org/ark:/48223/pf0000371562 (accessed: 16.04.2021).

[36] *Deacon H. et al.* Understanding and measuring the role... P. 7.

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[38] UNESCO Chair Professor on Intangible Cultural Heritage and Comparative Law; Member of the UNESCO Evaluation Body of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage; Full Professor of Comparative Public Law Department of Law and Economic University of Rome Unitelma Sapienza.

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In 2020, the COVID-19 pandemic brought the world to a standstill. This has had profound implications for culture and sustainable development. Among UNESCO's responses to the pandemic were the launch of the web platform on "Living Heritage experiences and the COVID — 19 pandemic": Living heritage as a source of resilience and recovery during crisis[44] and UNESCO — COVID 19 Culture response[45]. Analysing the trends that emerged as a result of the pandemic, Saša Srećković asserts that there may be increased attention given to environmental studies and related heritage expressions, as well as traditional/alternative medicine[46]. Srećković also highlights the strong communitarian and social impacts of traditional medicine and argues that strengthened intersectoral cooperation, with traditional medicine integrated into public policies, can demonstrate that heritage really matters for economic and social development. Like Srećković, Valentina Zingari views ICH as a source of resilience during the pandemic and focuses on the importance of community participation and cooperation. Zingari also suggests that the pandemic may have made the global framework of international culture Conventions more pertinent than ever in a context of global awareness-raising of ecological, economic, social and cultural challenges.

COVID-19 has shown the importance of intangible cultural heritage for physical spaces and for the achievement of sustainable development. An example of this importance can be seen in the case of the ICH element "Knowledge, skills and rituals related to the annual renewal of the Q'eswachaka bridge"[47]. This bridge has been woven by hand with vegetable fibres by peasant communities every year for 600 years. Every June, for over six centuries, local communities rebuilt the bridge using traditional knowledge and techniques and the Q'eswachaka is considered a sacred symbol of the bond of the communities with nature, history and traditions[48]. However, in 2020, due to the impacts of the COVID-19 pandemic the communities were not able to maintain the bridge in the customary way. This led to a deterioration in the fibres from which the bridge is constructed and consequently the Q'eswachaka collapsed. The example of Q'eswachaka thus highlights the close relationship between intangible cultural heritage and the physical world, and the importance of an integrated understanding of such heritage to achieve sustainability. Without communities being able to practice their intangible cultural heritage, the tangible bridge deteriorated and collapsed.

The example of Q'eswachaka therefore highlights the importance of cultural spaces associated with living heritage and how lockdowns and restrictions designed to protect populations from COVID-19 have impacted upon the capacity of communities, groups and individuals to access such spaces. Saša Srećković notes this consequence of the pandemic and suggests that the policies of some institutions will increasingly seek to integrate (intangible) cultural heritage, through measures including territorial functional

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[44] See: UNESCO Launches Platform on Living Heritage and the Covid-19 Pandemic // UNESCO. Available at: https://ich.unesco.org/en/news/unesco-launches-platform-on-living-heritage-and-the-covid-19-pandemic-13263 (accessed: 18.12.2020).

[45] See: Culture Response // UNESCO. Available at: https://en.unesco.org/covid19/cultureresponse (accessed: 18.12.2020).

[46] See: *Riordan A., Schofield J.* Beyond medicine: Traditional medicine as cultural heritage // International Journal of Heritage Studies. 2015. Vol. 21. P. 280–299.

[47] "Knowledge, skills and rituals related to the annual renewal of the Q'eswachaka bridge" (Peru) Inscribed in 2013 (8.COM) on the Representative List of the Intangible Cultural Heritage of Humanity.

[48] *Lombardo C.* Crolla l'ultimo ponte inca del Perù: la pandemia di Covid ne ha fermato la manutenzione // Corriere della Sera. 2021. Available at: https://www.corriere.it/cronache/21_marzo_28/crolla-l-ultimo-ponte-inca-peru-pandemia-ne-ha-fermato-manutenzione-65fe1592-8f95-11eb-bb16-68ed0eb2a8f6.shtml (accessed: 16.04.2021)

planning[49] for both urban and rural settlements, the creation of smart cities and cultural routes. Neel Kamal Chapagain also addresses the spatial impacts of the pandemic. He notes that since COVID-19 has forced people to stay in their own homes, it may have brought an extended moment to experience and reflect on architecture and urban planning at a very personal scale — from a room, to an apartment or a house, to a neighbourhood, then perhaps even to a city in limited ways. He suggests this moment of reflection may lead to (re)thinking architecture and urban planning and that the notion of intangible cultural heritage (ICH) as espoused by the 2003 UNESCO convention could offer useful insights in better results in our contemporary architecture and urban planning thinking and practice. Chapagain argues that unless the heritage custodians, practitioners and professionals reflect on their own practices and rethink the frameworks for heritage practice in a critical manner, it will not be possible to position cultural heritage as a pillar for sustainable development.

Elena Sinibaldi and Antonio Parente take a more holistic approach in analysing the importance of integrating tangible and intangible cultural heritage to achieve sustainable development. Through their evaluation of the WH Convention, ICH Convention and Italian regulatory context, Sinibaldi and Parente derive an analysis of the concept of living heritage in relation to the anthropological definition of organic landscape, representation of collective identities (community-based heritage), inclusive places and sociability (public policy), communicative restitution (universal ethical values), participatory management (participative brand-making), and integrated sustainability. They suggest that the strategic value of "integrated living sustainability" underlines three-dimensional sustainable integration (social, economic and environmental) and the urban-rural linkages and also expressly introduces both natural and cultural heritage, as well as tangible and intangible heritage, as components of a potentially transformative process of development. Sinibaldi and Parente also highlight how marketing and legal perspectives can be successfully combined to safeguard intangible cultural heritage in accordance with ICH Operational Directive 173(b).

Regarding marketing perspectives, Diego Rinallo explores promotion measures for (intangible) cultural heritage that facilitate sustainable development. Rinallo's contribution focuses on raising awareness of intangible cultural heritage by providing step-by-step guidelines for promotional digital storytelling interventions as well as offering some emerging considerations on how marketing and legal perspectives can be successfully combined to safeguard intangible cultural heritage. Rinallo's analysis builds on project work he has conducted. One such project is the British Academy for Sustainability project "Celebrating local stewardship in a global market: community heritage, intellectual property protection and sustainable development in India", which engages with three cases in West Bengal to investigate how developing Heritage-sensitive Intellectual Property and Marketing Strategies (HIPAMS) can give ICH bearer communities greater control over the commercialisation of their heritage to strengthen competitiveness while contributing to its safeguarding and ongoing viability[50]. A second project is the "AlpFoodway Alpine Space Project". Rinallo describes how, for this project, an anthropological video inquiry aiming to investigate the cultural and social values expressed in the Alpine food heritage was created "to raise awareness in the general public about the need to defend the Alpine food heritage before it is lost forever, to favor an understanding of the common values behind such heritage across Alpine countries, and to mobilize communities and policy makers at

[49] The subject is well represented within the policies of European Union. See: *Bold J., Pickard R.* An Integrated approach to cultural heritage // The Council of Europe's technical co-operation and consultancy program / eds J. Bold, R. Pickard. Strasbourg: Council of Europe, 2018. P. 67–79. See also: Territorial heritage and development / ed. by J. M. Feria. CRC Press Taylor & Francis group, 2012.

[50] HIPAMS India. Available at: www.hipamsindia.org (accessed: 17.12.2020).

the local, regional, national and EU levels to safeguard and valorize the Alpine food heritage". Agostina Lavagnino's contribution complements Rinallo's. Lavagnino addresses raising awareness of intangible cultural heritage and focuses on participatory inventory processes at the international UNESCO level, as well as examining the approach to inventory processes in Italy's Lombardy region. Like Rinallo, Lavagnino also engages with the "AlpFoodway Alpine Space Project". Lavagnino analyses the Project's inventory process, reporting that all partners started a bottom-up process involving local communities to identify and inventory Intangible Alpine Food Heritage, including more than 150 elements about food production, agricultural knowledge, rituals, traditions in a spirit of recognition of a common cultural heritage.

Like Rinallo, Chiara Bortolotto engage with the interactions between ICH and the market and thus focuses on culture and economic sustainable development. Bortolotto highlights the complexities of these interactions. She explains that the words "trauma" and "scandal" are used by international heritage experts in connection to the use of the ICH Convention as a marketing tool to promote popular commodities and there is caution surrounding the Convention being used as a "brand for capitalistic practices". However, Bortolotto reports, this caution is balanced with the recognition that "communities have to eat" and that economic uses of ICH must therefore not be prohibited. Bortolotto's contribution explores how these differing perspectives have led to the idea of "commercialization without over-commercialization" to allow flexibility on the matter of whether the commercialization of ICH is to be regarded as a form of "sustainable development" and "creative economy" or as a threat to cultural processes. Harriet Deacon's contribution, like Bortolotto's, addresses commercialisation. However, Deacon's paper focuses on the case study of a trademark registration of a Sámi symbol in Norway and engages with the capacity of intellectual property protection to address some kinds of cultural misappropriation and mediate some of the tension between heritage safeguarding and its commercialization.

Regarding legal perspectives, Francisco Humberto Cunha analyses the legal frameworks for ICH, investigating the impacts of UNESCO's ICH Convention on Brazilian law. Cunha focuses on two aspects: a juridical-normative, which seeks to know whether the international norms innovated Brazilian law; and the other, of a political nature, which examines whether Brazil fulfils the state obligations defined for the countries by the ICH Convention. Among the legal measures that can be adopted to safeguard ICH stand Intellectual Property rights. The connections between intellectual property rights, (intangible) cultural heritage and sustainable development are themes that are shared by the contributions of Harriet Deacon and Benedetta Ubertazzi. Ubertazzi engages with intellectual property rights and environmental sustainability of ICH. Ubertazzi suggests that intellectual property rights can recognise communities as bearers of knowledge about nature and as essential actors in sustaining the environment. Thus, in Ubertazzi's view, although if not carefully drafted intellectual property rights can pose risks for environmental sustainability, when correctly adopted they have the capacity to empower communities.

Deacon, like Ubertazzi, engages with the utility of intellectual property law for heritage-bearing communities to sustainably safeguard their cultural heritage. Deacon suggests that strategies including the registration of community trademarks may be positive for communities, although she acknowledges that challenges remain in extracting maximum value from this approach. Additionally, Deacon explains that intellectual property protection is often seen as a cause of cultural misappropriation (as it offers commercial enterprises the opportunity to register monopoly rights such as trademarks over signs that may be of cultural significance to communities), but that the public policy exception, which excludes registration of signs "contrary to morality or public policy", can take

account of public opinion, the public interest and human rights. This exception, Deacon suggests, may offer communities a means of preventing cultural misappropriation. It is not a perfect means of preventing such misappropriation however. One problem that Deacon identifies is that simply protecting the public domain by enabling free use of cultural symbols by all does not always help indigenous peoples safeguard their heritage. A second is that religious symbols have received disproportionate attention in case law, with a focus on preventing "blasphemous" or "banalizing" commercialization. It is not clear, Deacon argues, how this can protect the more general category of important cultural symbols which may be sacralised as "cultural heritage" by minority groups or indigenous peoples. Furthermore, Deacon notes, some groups may not be eager to represent their cultural symbols as "religious", especially in a context of historical oppression and discrimination of religion and religious identities.

Religion, cultural heritage and human rights are themes that Deacon's contribution shares with Lixinski's. Lixinski suggests that cultural heritage law, religion, and human rights are part of a complicated equation about the shaping of national identity and the promotion of intercultural dialogue and just societies, themes that are integral to social sustainable development. Lixinski argues that a focus on religious heritage as living heritage, enabled by treaties like the ICH Convention, allow for heritage and religion to contribute to a broader conversation about humanity and the values we wish to espouse.

The relationships between "just societies", sustainable development and culture resonate beyond the sphere of ICH. Addressing the restitution of cultural properties, Tullio Scovazzi asserts that the question of restitution of removed cultural properties to which the treaties in force do not apply for chronological or other reasons is far from being settled under customary international law. In Scovazzi's opinion, an evolutionary trend is developing in present customary international law according to which claims relating to movements of cultural properties should be addressed in order to achieve an equitable solution, taking into account all the relevant circumstances. To achieve such solutions, Scovazzi argues, non-adversarial procedures, such as negotiation, mediation or conciliation, should be put in place. Like Scovazzi, Gyooho Lee addresses the question of restitution. Lee's article focuses on the context of Korea and the restitution of stolen cultural property though the application of foreign domestic public law or of private international law. Lee identifies four challenges for the Korean legal community to address in order to achieve the successful restitution of stolen cultural property.

Addressing tangible heritage like Lee, Maria Alexandrova focuses on the challenges of identifying objects as cultural heritage. Within the framework of the WH Convention, Alexandrova highlights the differences between UNESCO practice in adding temporally recent sites to the WH List and the Russian legislative framework, under which objects must reach a specific age before they can become a cultural heritage object. Alexandrova's analysis seeks to evaluate the optimal balance of public and private interests, as well the impacts of Russian legislation on the protection of late Soviet and early new Russian period objects and urban development.

Finally, addressing tangible heritage, like Lee and Alexandrova, Tarasco develops on the relationship between the UNESCO world heritage sites owned by the Italian state and the profiles of their profitability and sustainability. Tarasco argues that if it is true that the award of UNESCO site status to a cultural monument is independent, as it should be, of its economic capabilities, then it is also true that increasing its economic profitability contributes to the achievement of the objectives of the UNESCO Conventions: the protection and valorization of the cultural heritage object. Hence the need to include in legislation an obligation to maintain autonomous financial reporting of UNESCO sites, which today is absent in many State-owned UNESCO sites, which currently do not have their own accounting and financial autonomy.

The articles collected in this issue engage with UNESCO's Culture Conventions and demonstrate some of the diverse relationships between culture and sustainable development. This issue hopes to contribute to the construction of a coherent and strong narrative on culture and development and highlight the transversal contribution of culture across different SDGs and policy areas.

Sincerely,
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